

REMARKS

By this Amendment, claims 1, 7-8 and 14-16 are amended, and claims 2-6, 9-13, 18-19 and 29-35 are cancelled. Thus, claims 1, 7-8 and 14-16 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 3 on page 2 of the Office Action, claim 35 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is believed to be moot in view of the cancellation of claim 35.

In item 4 on page 3 of the Office Action, claims 1, 8 and 29-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nemirofsky et al. (U.S. 5,880,769). In item 8 on page 4 of the Office Action, claims 18-19, 29 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Shintani (EP 0 921 696). Further, in item 14 on page 7 of the Office Action, claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sumiya et al. (EP 0 892 554) in view of Nemirofsky et al. These rejections are believed to be moot with respect to claims 2-6, 9-13, 18-19 and 29-32 in view of the cancellation of claims 2-6, 9-13, 18-19 and 29-32.

Without intending to acquiesce to this rejection, claims 1, 7-8 and 14-16 have been amended to more clearly illustrate the marked differences between the present invention and the applied references. The Applicants submit that the present invention is patentable over the applied references for the following reasons.

Claims 1, 8 and 15

As described beginning at line 10 on page 18 of the substitute specification (line 16 on page 18 of the original specification), an input acceptor of the receiver of the present invention accepts an input of a recording signal that is transmitted from a user. When the recording signal from the user satisfies a predetermined recording condition, the input acceptor outputs a recording command to the viewing information recorder to record, on a removable recording medium, viewing information having the program identifier to identify the program contents. The present invention provides that the predetermined recording condition is that the user has sent the recording signal continuously for a predetermined time or more.

Claims 1, 8 and 15 have been amended to recite this feature of the present invention. In particular, claim 1 recites that the receiver comprises an input acceptor for accepting a user input, and a viewing information recorder for recording, on a removable recording medium, viewing information having the program identifier to identify the program contents when the input acceptor accepts a user input which becomes effective by a button being pushed continuously for a predetermined period of time.

The viewing information recording method of claim 8 and the computer-readable program recording medium of 15 have each been amended to recite accepting a user input, and recording, on a removable recording medium, viewing information having the program identifier to identify the program contents when the accepting of the user input accepts a user input which becomes effective by a button being pushed continuously for a predetermined period of time.

This feature of the present invention is neither disclosed nor suggested by Nemirofsky et al., Shintani and Sumiya et al.

Accordingly, the Applicants respectfully submit that claims 1, 8 and 15 are not anticipated by Nemirofsky et al. or Shintani since Nemirofsky et al. and Shintani fail to disclose the input acceptor and viewing information recorder of claim 1 and the accepting and recording operations of claims 8 and 15.

Furthermore, the Applicants respectfully submit that claims 1, 8 and 15 are patentable over Sumiya et al. and Nemirofsky et al. since Sumiya et al. and Nemirofsky et al., either individually or in combination, do not disclose or suggest the input acceptor and viewing information recorder of claim 1 and the accepting and recording operations of claims 8 and 15.

Claims 7, 14 and 16

As described beginning line 21 on page 42 of the substitute specification (line 13 on page 43 of the original specification), when the user inputs related information, the input acceptor checks whether the related information inputted by the user matches any of the plural pieces of related information supplied from a program provider. Accordingly, the present invention provides that the program related information is information that is supplied by a program provider and thus is not information for selecting a program.

Claims 7, 14 and 16 have each been amended to recite this feature of the present invention. In particular, claim 7 has been amended to recite that the receiver comprises an input acceptor for accepting a user input, and a viewing information recorder for recording, on a removable recording medium, viewing information having the program identifier to identify the program contents when the input acceptor accepts program related information inputted by the user that matches program related information supplied from a program provider.

The viewing information recording method of claim 14 and the computer-readable program recording medium of 16 have each been amended to recite accepting a user input, and recording, on a removable recording medium, viewing information having the program identifier to identify the program contents when the accepting of the user input accepts program related information inputted by the user that matches program related information supplied from a program provider.

Accordingly, claims 7, 14 and 16 each recite that viewing information having the program identifier is recorded when program related information inputted by a user matches program related information supplied from a program provider.

In item 21 on page 9 of the Office Action, the Examiner asserted that the combination of Sumiya et al. and Nemirofsky et al. disclose accepting an input selection program that is an input related to the program, where the program related information is for selecting a program.

However, as mentioned above, claims 7, 14 and 16 each recite that the program related information is information that is supplied from a program provider, not information for selecting a program. This feature of claims 7, 14 and 16 is not disclosed or suggested by Sumiya et al. and Nemirofsky et al., and is not disclosed or suggested by Shintani.

Accordingly, the Applicants respectfully submit that claims 7, 14 and 16 are clearly patentable over Sumiya et al., Nemirofsky et al. and Shintani since Sumiya et al., Nemirofsky et al. and Shintani, either individually or in combination, clearly do not disclose or suggest the input acceptor and viewing information recorder of claim 7 and the accepting and recording operations of claims 14 and 16.

Therefore, the Applicants respectfully submit that claims 1, 7-8 and 14-16 are clearly patentable over Nemirofsky et al., Shintani and Sumiya et al. since Nemirofsky et al., Shintani and Sumiya et al., either individually or in combination, fail to disclose or suggest each and every limitation of claims 1, 7-8 and 14-16.

In item 25 on page 10 of the Office Action, claims 33-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nemirofsky et al. in view of Roberts (U.S. 5,987,525). This rejection is believed to be moot in view of the cancellation of claims 33-34.

As demonstrated above, Nemirofsky et al., Shintani and Sumiya et al. fail to disclose or suggest, either individually or in combination, each and every limitation of claims 1, 7-8 and 14-16.

Roberts also fails to disclose or suggest the input acceptor and viewing information recorder of claims 1 and 7 and the accepting and recording operations of claims 8 and 14-16. Therefore, Roberts does not cure the deficiencies of Nemirofsky et al., Shintani and Sumiya et al. for failing to disclose or suggest each and every limitation of claims 1, 7-8 and 14-16.

Accordingly, no obvious combination of Nemirofsky et al., Shintani, Sumiya et al. and Roberts would result in the inventions of claims 1, 7-8 and 14-16 since Nemirofsky et al., Shintani, Sumiya et al. and Roberts, either individually or in combination, clearly do not disclose or suggest each and every limitation of claims 1, 7-8 and 14-16.

Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Nemirofsky et al., Shintani, Sumiya et al. and Roberts in such as manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 7-8 and 14-16.

Therefore, it is submitted that the claims 1, 7-8 and 14-16 are clearly allowable over the prior art as applied by the Examiner.

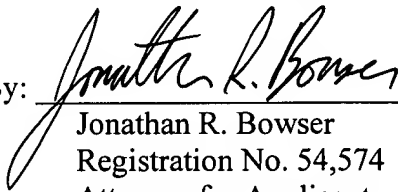
In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

A fee and a Petition for a one-month Extension of Time are filed herewith pursuant to 37 CFR § 1.136(a).

Respectfully submitted,

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